

THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

W.P.No. 16147 OF 2004

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9th November, 2005.

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Between:

Managing Committee Masjide Meraj and Madarsa,
Ramanthapur.

....Petitioner

A N D

1. The District Collector, Ranga Reddy District
and another

...Respondents

THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

W.P.No. 16147 OF 2004

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ORDER:

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1. This writ petition has been filed by Managing Committee Masjide Meraj and Madarsa, represented by its President Mohammed Naseeruddin with a prayer to issue a writ more particularly one in the nature of Writ of Mandamus declaring the

action of the respondents in not considering the representations of the petitioner dated 01-01-1998 and 09-03-1999 as illegal and arbitrary.

2. The petitioner claims to have submitted representations to the respondents for grant of permission for construction of mosque and Madarsa. Since no action has been taken on the said representations, the petitioner has chosen to approach this Court by invoking jurisdiction under Article 226 of the Constitution of India.

3. 2nd respondent filed counter affidavit. It is stated in the counter affidavit that the District Collector is the Competent Authority to dispose of the representations submitted by the petitioner. Para 7 of the counter affidavit needs to be noted and it is thus:

“It is respectfully submitted that in reply to paras 9 and 10 of the affidavit, I submit that the permission of construction of Prayer Hall and Worship places is vested with the District Collector under Schedule-III, building rules, A.P. Municipalities Act, 1965, and the petitioner has submitted the representation to this respondent due to lack of knowledge. This respondent office has directed the petitioner to submit their representation for the construction of Mosque and Madarsa to the competent authority i.e. the District Collector, R.R.District, i.e. the 1st respondent herein. Accordingly, the petitioner might have represented to the 1st respondent as stated by the petitioner in para 10”.

4. It seems the representations submitted by the petitioner are pending consideration with the respondents. The 2nd respondent has specifically stated in the counter affidavit that it is the 1st respondent who is competent to pass appropriate orders on the representations submitted by the petitioner.

5. In that view of the matter, I deem it appropriate to dispose of the writ petition directing the 1st respondent to consider the representations dated 01-01-1998 and 09-03-1999 submitted by the petitioner and pass appropriate orders within two months from the date of receipt of a copy of this order. No order as to costs.

B.Seshassayana Reddy,J

9th November, 2005.

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THE HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

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